

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-16 are currently pending. Claims 1-3 and 9-14 are independent. Claims 1-4 and 6-16 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, and specifically at page 14, lines 20-26, page 17, lines 19-24 and page 35, lines 11-21. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-5, 7 and 9-16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,263,152 to Hisatomi et al. in view of U.S. Patent No. 6,055,565 to Inai.

Claims 6 and 15 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hisatomi et al. in view of Inai and further in view of U.S. Patent No. 6,813,681 to Kanota et al.

Claim 8 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hisatomi et al. in view of Inai and further in view of U.S. Patent No. 6,570,837 to Kikuchi et al.

Claim 1 recites, *inter alia*:

“A recording apparatus...comprising...
encoding means...wherein a transfer rate of the encoding means is lower than a transfer rate of the data recorded on the optical disc when the data is intermittently read.” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,263,152 to Hisatomi relates to a recordable/playable recording medium such as a DVD-RAM and a recording/playback apparatus that can be applied to a recording/playback DVD player for recording or playing back an image and sounds associated with that image. The recording/playback apparatus effects searching and editing operations without creating additional menu data.

As understood by Applicants, U.S. Patent No. 6,055,565 to Inai relates to an information integrated display method and device, and an information integrated display applied to a document inspecting system by utilizing a network. The integrated display system is capable of providing information.

As understood by Applicants, U.S. Patent No. 6,813,681 to Kanota et al. relates to an information recording method and apparatus and an information reproducing method and apparatus in which AV data can be recorded or reproduced temporally continuously without producing fragmentation. The information recording apparatus includes a disc-shaped recording medium having a management information region and a

user data region made up of a plurality of logical blocks, and recording means for continuously recording information signals in the user data region of the storage means from a recording start logical block to a recording end logical block.

As understood by Applicants, U.S. Patent No. 6,570,837 to Kikuchi et al. relates to an information reproducing system, an information recording/reproducing system, and a recording medium applicable to the system, and a reproducible playback DVD player, a recording/playback DVD player, and an optical disk applicable to the DVD players. The information system provides a disk, which enables the interruption of playback where it was interrupted, provided that, after the disk was removed from a playback system capable of recording, the disk is installed again in the system.

Applicants submit that Hisatomi, Inai, Kanota and Kikuchi, taken alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of a transfer rate of an encoding means that is lower than a transfer rate of data recorded on an optical disc when the data is intermittently read, as recited in claim 1. Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claims 2, 3 and 9-14 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1-3 and 9-14 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

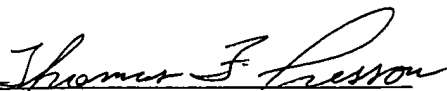
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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